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MAY - 8 1998

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

JOHN M. PELKEY  
ADMITTED IN D.C. AND VA

May 8, 1998

OUR FILE NO.  
0279-100-63

Ms. Magalie R. Salas  
Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

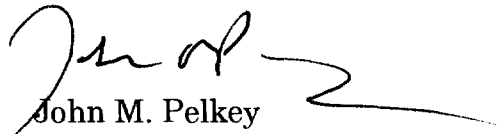
Re: Amendment of Section 73.202(b)  
Bunker, Missouri

Dear Ms. Salas:

Transmitted herewith on behalf of Bunker Radio Project are an original and four copies of a Petition for Rulemaking.

If there are any questions concerning this matter, please contact this office directly.

Sincerely,

  
John M. Pelkey

JMP/ned

Enclosures: (5)

No. of Copies rec'd 0+4  
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Before The  
**Federal Communications Commission**  
Washington, D.C. 20554

In re Amendment of	}	
	}	
Section 73.202(b)	}	File No.
Table of Allotments	}	
FM Broadcast Stations	}	
Bunker, Missouri	}	

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch

## Petition for Rulemaking

Bunker Radio Project ("BRP"), pursuant to Sections 1.401 and 1.420 of the Commission's rules and by its attorneys, hereby requests that the Commission institute a rulemaking proceeding to amend the Table of FM Allotments, Section 73.202(b) of the Commission's rules. Specifically, BRP requests that the Table of FM Allotments be amended so as to allocate Channel 292A to Bunker, Missouri, as that community's first commercial channel. In support thereof the following is stated:

Bunker, Missouri, is an incorporated city with a mayor and city council form of government. Although the 1990 census listed Bunker as having a population of 390 persons, more recent information from the city of Bunker specifies a 1995 population of 518 persons. Bunker has

its own post office with its own zip code, 63629. It supplies water to its citizens with the city-owned water and sewer system. It serves the educational needs of its citizens through an elementary school with 14 teachers and a high school with 16 teachers. Economic development is fostered by the Bunker Chamber of Commerce. Despite Bunker's status, no broadcast facilities of any type are allocated to the community. Allocation of Channel 292A would remedy this deficiency.

As the attached engineering study demonstrates, allocation of Channel 292A to Bunker can be accomplished with no site restriction and in complete accordance with the Commission's allocation rules. Because Bunker is not located in or around any urbanized area, there is no need to provide any analysis demonstrating that Bunker is separate and distinct from any neighboring jurisdiction.

The allocation of Channel 292A to Bunker is in the public interest. The proposal would permit Bunker to receive its first local broadcast service, thereby serving the highest of the Commission's allocation priorities:

[T]here are virtually no populated areas of the country where our higher allotment priorities, such as first reception service, have not been attained. Therefore, as a practical matter, provision of first local service is the highest of our allotment

priorities which remains in any significant degree unsatisfied.

*Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License, 5 FCC Rcd 7094, 7096 (1990).*


BRP will apply for an authorization to construct the new facility on Channel 292A at Bunker if the allocation is adopted by the Commission.

Accordingly, BRP respectfully requests that the Table of FM Allotments be amended as follows:

Community	Present Allotment	Proposed Allotment
Bunker, Missouri	- -	292A

Respectfully submitted,

BUNKER RADIO PROJECT

By:   
John M. Pelkey  
Its Attorney

HALEY BADER & POTTS P.L.C.  
Suite 900  
4350 North Fairfax Drive  
Arlington, VA 22203-1633

703/841-0606

Date: May 8, 1998



# WHEELER BROADCAST CONSULTING

## ***Engineering Study***

### ***Proposed Rule Making Channel 292 A - Bunker, Missouri***

This consultant has been retained by the Bunker Radio Project for the purpose of preparing an engineering statement in support of a Proposed Rule Making to amend the FM table of allotments, 47 CFR 73.202 (b), by adding Channel 292 A to Bunker, MO as its first local service.

At the request of Bunker Radio Project, this consultant performed a full commercial channel search of the Commission's April 29, 1998 FM database in order to determine the availability of a FM channel for allocation to Bunker, MO. The study revealed that Channel 292 A could be allocated to Bunker, with no site restriction.

The coordinates of Bunker, MO are listed by the United States Census Bureau as follows:

37° 27' 27" N. Latitude  
91° 12' 41" W. Longitude

Channel 292 A is fully compliant with the provisions of 47 CFR 73.207 at the reference coordinates for Bunker thus those same coordinates are suitable as the allocation reference coordinates. Exhibit 1 of this report is a spacing study for Channel 292 A that demonstrates compliance with the minimum spacing requirements for Channel 292 at that point.

Exhibit 2 is a digitally generated map, generated from USGS and NGDC data, which indicates the reference site and the predicted 60 dBu and 70 dBu contours from the reference coordinates indicating compliance with the principal community coverage requirements of 47 CFR 73.315.

CLARENCE M. MARTIN  
F. E. C. C.  
ATTORNEY AT LAW  
1000 N. 10TH ST.  
SUITE 100  
MINNEAPOLIS, MN 55401  
(612) 338-1234

### **Bunker, Missouri**

Bunker, Missouri is an incorporated city with a Mayor and City Council form of government. The population of Bunker is 390 persons according to the 1990 US Census<sup>1</sup>. Bunker has a post office with its own zip code, 63629. Bunker supplies water to its citizens with a city owned water and sewer system. Educational needs of the citizens of Bunker are provided by an elementary school with 14 teachers and a high school with 16 teachers. Economic development is fostered by the Bunker Chamber of Commerce.

Bunker, Missouri is not located in or around any Urbanized Area.

### **Conclusion**

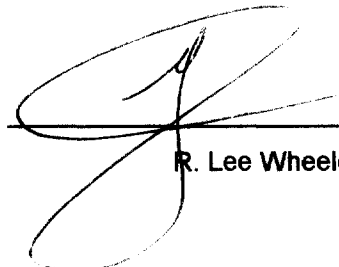
Bunker is a community deserving of its first commercial FM service and this proposal provides that service. The proposed Channel 292 A facilities proposed herein would provide the residents of Bunker with a first local service and no other licensed or proposed radio station would be impacted by the proposed allocation. In light of the above facts, this proposal is clearly in the public interest and it is respectfully requested that 47 CFR 73.202(b) be amended as follows:

<b><u>Community</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
Bunker, MO	-----	292 A

### **Certification**

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

4/30/98  
Date

  
R. Lee Wheeler

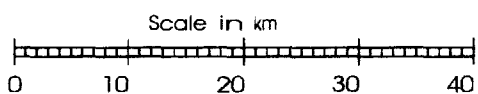
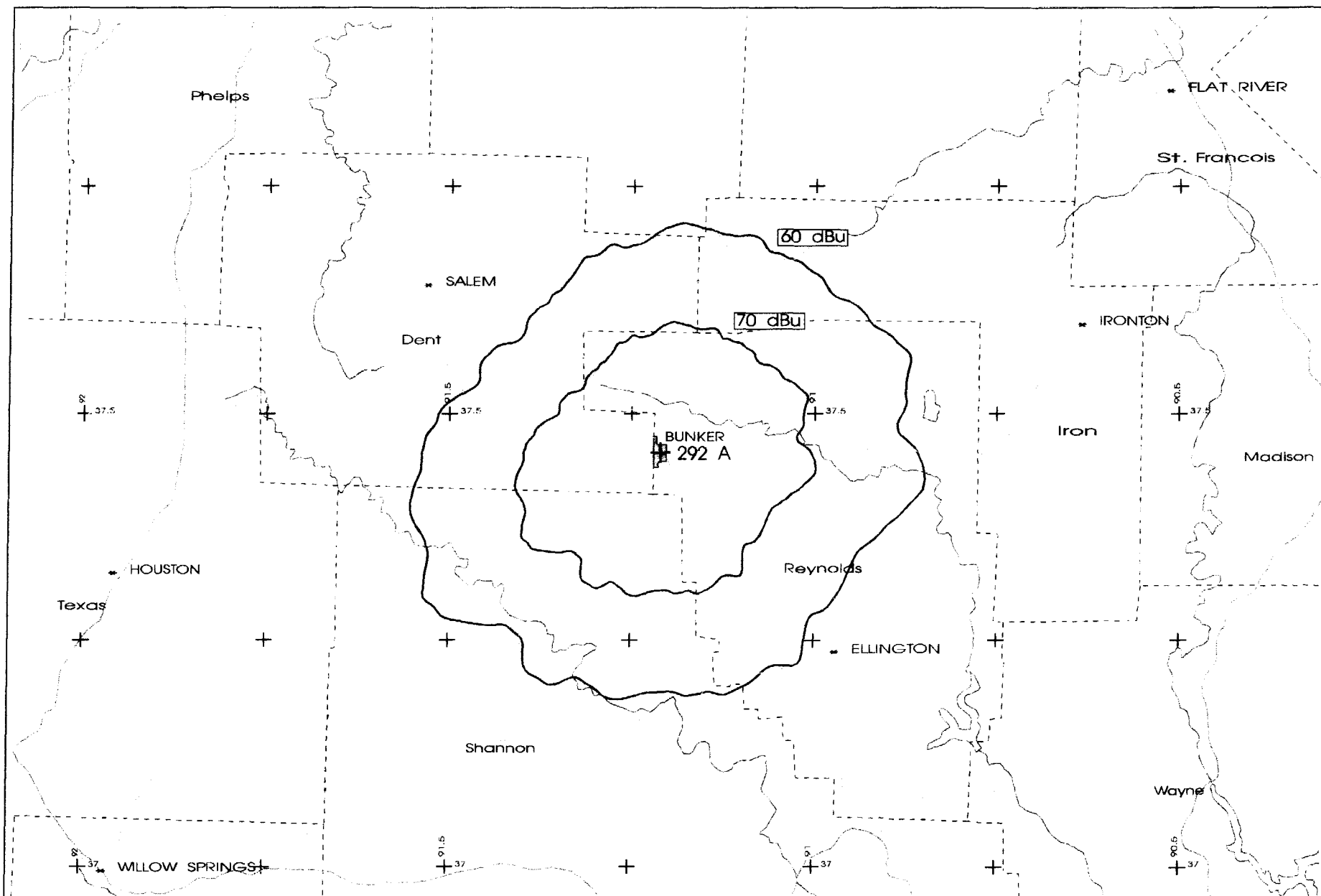
<sup>1</sup> 1995 Census figures, supplied by the City of Bunker, place the city's population at 590 persons.

WHEELER BROADCAST CONSULTING  
6025 Martway - Suite 112 - Mission KS 66202

Bunker Radio Project  
Exhibit 1

REFERENCE		DISPLAY DATES
37 27 27 N	CLASS A	DATA 04-29-98
91 12 41 W	Current rules spacings	SEARCH 04-30-98
----- CHANNEL 292 -106.3 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KPNT	289C	St. Genevieve	MO	32.4	100.45	95.0	5.45
LI CN	38 13 10	90 35 44	100.000 kW	419M	62.4	59.0	
		River City License Partnershi			BLH871106KB		
AD294	294A	Ellington	MO	129.3	40.94	31.0	9.94
AD	37 13 27	90 51 13	0.000 kW	0M	25.4	19.3	
		Lyle Broadcasting Corp.			RM9182		970922
>Counterproposal							
WKKX	293C1	Granite City	IL	31.8	146.28	133.0	13.28
LI CN	38 34 24	90 19 30	90.000 kW	313M	90.9	82.7	
		Zimco Inc.			BLH890509KC		
KRZK.C	292C2	Branson	MO	245.6	191.68	166.0	25.68
CP ZCN	36 43 52	93 10 03	27.000 kW	201M	119.1	103.2	
		Turtle Broadcasting Company o			BPH960911IE		980714
>From Channel 292C3 per D91-352							
KRLWFM	292A	Walnut Ridge	AR	171.0	156.29	115.0	41.29
LI CN	36 03 58	90 56 24	3.000 kW	61M	97.1	71.5	
		Voices Unlimited, Inc.			BLH7403		
KWKZ	291C2	Charleston	MO	107.0	147.53	106.0	41.53
LI ZCN	37 03 38	89 37 27	34.000 kW	178M	91.7	65.9	
		Anderson Broadcasting Company			BLH930204KC		
KRZK	292C3	Branson	MO	245.6	191.68	142.0	49.68
LI CN	36 43 52	93 10 03	5.700 kW	205M	119.1	88.3	
		Turtle Broadcasting Company o			BLH921228KF		
>*To Channel 292C2 per D91-352-Petition for Recon D91-352 filed 9601							



Bunker Radio Project Channel 292 A Bunker, MO  
 N. Lat. 37 27 27 W. Lng. 91 12 41

EXHIBIT 2  
 L. WHEELER - 04/98